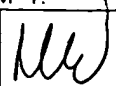


<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/612,546	CUMMINS, WILLIAM T.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Frantz F. Jules	3617	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/22/2004.
2. ☒ The allowed claim(s) is/are 2-16 and 19-34.
3. ☒ The drawings filed on 07/22/2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

**REASON FOR ALLOWANCE**

1. Atwood, Grawey, and Smith et al disclose various types of wheel assembly comprising a generally frustoconical wheel having a side wall and a circumferential lateral wall with a tapered outer surface, a generally frustoconical rim having a side wall and a circumferential annular wall with an outer surface and tapered inner surface complementary with the outer surface of the wheel, and a tire attached to the outer surface of the rim. The assembly further comprising fasteners for attaching the rim to the wheel. The side wall of the wheel defines a plurality of threaded holes and the side wall of the rim defines a plurality of threaded holes and the side wall of the rim defines a plurality of holes alignable with the plurality of holes in the side wall of the wheel. Kelly discloses a wheel assembly comprising a wheel having a side wall and a circumferential lateral wall with an outer surface; a metal rim having a side wall and a circumferential annular wall with an outer surface and an inner surface complementary with the outer surface of the wheel. However, none of the references of record suggests a wheel assembly wherein a flange is provided between the side wall and the annular wall of the rim, said flange extending outwardly away from the wheel in the manner defined in the instant claims 10, 27 and in combination with other limitations of the claim. Also, none of the references of record suggests a wheel assembly wherein a recess area in a side wall of the wheel is adapted to receive a pry bar in the manner defined in the instant claim 14 and in combination with other limitations of the claim. Moreover, none of the references of record suggests a wheel assembly wherein the side wall of the wheel defining at least one recessed area which is partially covered by the side wall of the rim

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when the rim is installed on the wheel; the recessed area being adapted to receive a pry bar in the manner defined in the instant claims 20, 24, and 32 and in combination with other limitations of the claims. Therefore, claims 2-9, 11-13, 16, 21-23, 25-26, 28-31, 33-34, depending therefrom, are considered to be allowable.

### ***Conclusion***

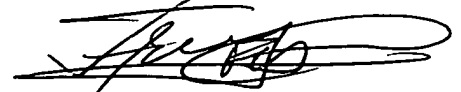
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz F. Jules whose telephone number is (703) 308-8780. The examiner can normally be reached on Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph S. Morano can be reached on (703) 308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz F. Jules  
Primary Examiner  
Art Unit 3617

**FRANTZ F. JULES**  
**PRIMARY EXAMINER**



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FFJ

September 8, 2004